

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

BUILDERS TRUST OF NEW MEXICO,  
an unincorporated association,

Plaintiff,

v.

CIV 09-0249 RB/GBW

THE RESOLUTION ASSURANCE GROUP,  
INC., an Illinois Corporation, and JOHN  
HOCHBAUM, JR., an individual,,

Defendants.

**ORDER TO SHOW CAUSE**

This matter is before the Court upon Plaintiff's Motion for Default Judgment  
(*Doc. 7*).

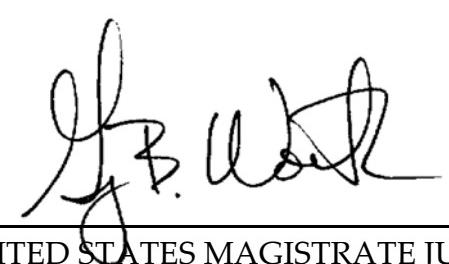
Plaintiff filed a Complaint against Defendants, The Resolution Assurance Group, Inc. ("RAG") and John Hochbaum, Jr., on March 13, 2009. Plaintiff has provided a sworn affidavit averring that Defendant John Hochbaum Jr. was served in person on April 10, 2009. Based upon the same affidavit, Plaintiff avers that the registered agent of RAG, Dennis Guth, is deceased, and that service on RAG was therefore accomplished by service upon the Illinois Secretary of State on April 10, 2009.

Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A)(i), Defendants' Answers

were due to be served upon Plaintiff within 20 days of April 10, 2009. As of June 23, 2009, neither Defendant has answered the Complaint, or otherwise appeared or pleaded.

Wherefore,

**IT IS HEREBY ORDERED** that Defendants John Hochbaum Jr. and The Resolution Assurance Group, Inc. shall show cause, if any they have, why a default judgment should not be entered as a result of their failure to plead or answer the Complaint. Defendants are directed to file separate written responses and supporting affidavits by July 31, 2009.



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UNITED STATES MAGISTRATE JUDGE